

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re : Chapter 7

THOMAS A. BATH, d/b/a :
INFINIA BUILDERS LLC :
Debtor : Bankruptcy No. 09-14724

MONARCH CAPITAL CORP. :

Plaintiff :
v. :
THOMAS A. BATH, d/b/a :
INFINIA BUILDERS LLC :
Defendant : Adversary No. 09-0304

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ORDER
.....

AND NOW, this 19th day of October 2010, for the reasons stated in the accompanying memorandum, it is hereby ordered as follows:

1. Summary judgment is entered in favor of plaintiff Monarch Capital Corp. and against defendant Thomas A. Bath on Count I of the complaint. The claim held by the plaintiff against the defendant is nondischargeable under 11 U.S.C. § 523(a)(2)(A). The amount of the nondischargeable claim shall be determined by any court of competent jurisdiction;
2. Count II of the complaint is dismissed as moot; and
3. Trial on Count III of the complaint shall take place on December 3, 2010

at 10:30 a.m. in Bankruptcy Courtroom #2.



BRUCE FOX

United States Bankruptcy Judge

copies to:

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